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IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Donald Edgar Blahut
James D. Bobeck
Robert William Dalton
Enrique Hernandez-Valencia
Roger Henry Levy
Ronald L. Sharp

Prior Application:
Serial No. 08/991,735
Filing Date: December 16, 1997
Group Art Unit: 2756
Examiner: M. Geckil
Status: Pending

Case 48-5-3-16-4-7

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D. C. 20231

SIR:

CONTINUATION/DIVISIONAL APPLICATION UNDER 37 CFR § 1.53(b)

SIR:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b) of prior Application Serial No. 08/991735, filed on December 16, 1997, entitled Internet Protocol Based Network Architecture For Cable Television Access with Switched Fallback

Enclosed are the following papers relating to the above-identified application:

1. ☒ Specification (Total Pages: 13)
2. ☒ Drawings (Total Sheets: 4)
3. ☒ Copy of "Declaration and Power of Attorney" from prior application (Total Pages: 8)
4. ☐ Newly executed "Declaration and Power of Attorney" (if **adding** inventors) (Total Pages:)
5. ☐ Newly executed "Assignment and Agreement" (if **adding** inventors) (Total Pages:)
6. ☒ Incorporation By Reference

The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 3, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

7. ☐ **DELETION OF INVENTOR(S)**

Signed statement attached (under 37 CFR § 1.63(d)(2)) deleting inventor(s) named in the prior application

8. ☐ Information Disclosure Statement
9. ☐ Copy of "Extension of Time"
10. ☐ Other:

11. ☒ Cancel the following original claims in the prior application before calculating the filing fee: Cancel claims 3 and 6

"Express Mail" mailing label
number EJ689579704US
Date of Deposit APPLICATION
I hereby certify that this APPLICATION is
being deposited with the United States Postal
Service "Express Mail Post Office to
Addressee" service under 37 CFR 1.10 on the
date indicated above and is addressed to the
Commissioner of Patents and Trademarks
Washington, D.C. 20231
Lovides Chesal
(Printed name of person mailing paper of fee)
[Signature]
(Signature of person mailing paper of fee)

CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY CLAIMS CANCELLED ABOVE				
	NO. FILED	NO. EXTRA	RATE	CALCULATIONS
Total Claims	17-20 =	0	x \$22 =	0
Independent Claims	7-3 =	4	x \$82 =	328
Multiple Dependent Claims(s), if applicable			+ \$270 =	
Basic Fee				\$790
				\$1118
TOTAL FEE				

12. ☒ Amend the specification by inserting before the first line this sentence:

This is a ☒ continuation ☐ divisional of Application Serial No. 08/991,735 filed on December 16, 1997.

13. ☒ Preliminary Amendment

14. Amendment Fee:

☐ No additional fee is required.

☒ An additional amendment fee is calculated as follows:

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid For (from PT 17A)	Present Extra	Rate	Additional Fee
Total Claims for Fee Purposes	30		0	10		220
		minus			x \$22	
Independent Claims	14		4	10		820
		minus			x \$82	
Multiple Dependent Claim(s) first presented with this amendment, if applicable.					+ \$270	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:						\$1040

15. Please charge the total amount of \$ 1040 to **Lucent Technologies Deposit Account No. 12-2325**.

Duplicate copies of this letter are enclosed. In the event of non-payment of improper payment of a required fee, the Commissioner is authorized to charge or to credit **Deposit Account No. 12-2325** as required to correct the error.

The Assistant Commissioner for Patents is hereby authorized to treat any concurrent or future reply, requiring a petition for extension of time under 37 CFR § 1.136 for its timely submission, as incorporating a petition for extension of time for the appropriate length of time if not submitted with the reply.

Please address all correspondence to **Docket Administrator (Room 3C-512), Lucent Technologies Inc., 600 Mountain Avenue, P.O. Box 636, Murray Hill, New Jersey 07974-0636.** However, telephone calls should be made to me at (732) 949-1708.

Respectfully,



Joseph J. Opalach

Attorney for Applicant(s), Reg. No. 36229

Date: January 5, 2000
Lucent Technologies Inc.
600 Mountain Avenue (Room 3C-512)
P.O. Box 636
Murray Hill, New Jersey 07974-0636

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Date of Deposit JANUARY 5 2000
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Commissioner of Patents and Trademarks
Washington, D.C. 20231
Louise Chesal
(Printed name of person mailing paper of fee)
Louise Chesal
(Signature of person mailing paper of fee)